

## **CUSTOMER CLAIM**

**Claim Number**

**Date Received**

# BERNARD L. MADOFF INVESTMENT SECURITIES LLC

## In Liquidation

**DECEMBER 11, 2008**

**(Please print or type)**

Name of Customer: Trust U/W/O Harriette Myers c/o Trustee Willard Myers  
Mailing Address: 58 Tremont Terrace  
City: Livingston State: NJ Zip: 07039  
Account No.: 1-CM316  
Taxpayer I.D. Number (Social Security No.): Redacted

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

\*\*\*\*\*

2. Claim for securities as of December 11, 2008:

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	X	
b. I owe the Broker securities		X
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)
See Nov. 30, 2008	CM316 statements, attached hereto as Exhibit A		
\$1,370,449.66	(market value of securities long, per CM316-3 statement)		
47,850.00	(market value of securities long, per CM316-4 statement)		
(67,570.00)	(market value of securities short, per CM316-4 statement)		
Total	\$1,350,729.66		

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION  
ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT  
PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR  
COMPLETION.**

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	<hr/>	X
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	<hr/>	X
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	<hr/>	X
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	<hr/>	X
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	<hr/>	X
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	<hr/>	X
9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.	<hr/>	X

Please list the full name and address of anyone assisting you in the preparation of this claim form: Matthew A. Kupillas, Esq., Milberg LLP  
One Pennsylvania Plaza, New York, New York 10119, and Jason Myers  
58 Tremont Terrace, Livingston, NJ 07039

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM.  
CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR  
IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date May 21, 2009 Signature Willard Myers  
Date \_\_\_\_\_ Signature Willard Myers, Trustee\*

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly,  
together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

\*The Last Will and Testament of Harriette Myers, in which Willard Myers was appointed Trustee of the Trust u/w/o Harriette Myers (see paragraph 11), is attached hereto as Exhibit C.

# **EXHIBIT A**


 BERNARD L. MADOFF  
 INVESTMENT SECURITIES LLC  
 New York □ London

 655 Madison Avenue  
 New York, NY 10022  
 (212) 230-2424  
 800 334-1343  
 Fax (212) 838-4061

 TRUST U/W/O HARRIET MYERS  
 MARK BLOCK & W MYERS TRTEES  
 C/O MILLARD MYERS  
 58 TREMONT TERRACE  
 LIVINGSTON NJ 07039

 FORM DATED  
 11/30/08

 FORM  
 1

 YOUR ACCOUNT NUMBER  
 1-CM316-3-0  
 YOUR FAX NUMBER  
 444443392

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				BALANCE FORWARD		80,477.08	
11/12	754	2359		WAL-MART STORES INC	55.830	42,129.82	
11/12	493	2861		INTERNATIONAL BUSINESS MACHS	87.270	43,043.11	
11/12	1,827	6605		EXXON MOBIL CORP	72.880	133,224.76	
11/12	2,001	7187		INTEL CORP	14.510	29,114.51	
11/12	957	31513		JOHNSON & JOHNSON	59.580	57,056.06	
11/12	1,305	25039		J-P MORGAN CHASE & CO	38.530	50,333.65	
11/12	696	20164		COCA COLA CO	44.660	31,110.36	
11/12	406	24490		MCDONALDS CORP	55.370	22,496.22	
11/12	754	28836		MERCK & CO	28.550	21,556.70	
11/12	2,755	33142		MICROSOFT CORP	21.810	60,196.55	
11/12	1,392	37468		ORACLE CORPORATION	17.300	24,136.60	
11/12	551	50446		PEPSICO INC	56.410	31,103.91	
11/12	319	50948		APPLE INC	100.780	32,160.82	
11/12	2,349	54772		Pfizer Inc	16.940	39,885.06	
11/12	551	55274		ABBOTT LABORATORIES	54.610	30,112.11	
11/12	1,044	59098		PROCTER & GAMBLE CO	64.080	66,940.52	
11/12	377	59600		AMGEN INC	59.160	22,318.32	
11/12	725	63424		PHILLIP MORRIS INTERNATIONAL	43.600	31,639.00	
11/12	1,740	63926		BANK OF AMERICA	21.590	37,635.60	
11/12	580	67750		QUALCOMM INC	33.770	19,609.60	
11/12	1,885	68252		CITI GROUP INC	12.510	23,656.35	
11/12	435	72076		SCHLUMBERGER LTD	49.480	21,540.80	
11/12	1,044	72578		COMCAST CORP	16.510	17,277.44	
				CL A			
				CONTINUED ON PAGE	2		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES



**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

Customer Statement Page 7 of 16

205 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

TRUST U/W/O HARRIET MYERS  
MARK BLOCK & W MYERS TRTEES  
C/O WILLARD MYERS  
58 TREMONT TERRACE  
LIVINGSTON NJ 07039

PERIOD ENDED  
11/30/08

PAGE  
2

YOUR ACCOUNT NUMBER  
1-CM316-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER  
\*\*\*\*\*3392

DATE	BOUGHT RECEIVED ON LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	2,059		76402	AT&T INC	27	55,675.00	
11/12	522		76904	CONOCOPHILIPS	52.510	27,430.22	
11/12	348		80728	UNITED PARCEL SVC INC CLASS B	52.040	18,122.92	
11/12	2,117		81230	CISCO SYSTEMS INC	16.730	35,501.41	
11/12	609		85054	U S BANCORP	29.530	18,007.77	
11/12	725		85556	CHEVRON CORP	73.430	53,265.75	
11/12	348		89380	UNITED TECHNOLOGIES CORP	53.160	18,512.68	
11/12	3,683		89882	GENERAL ELECTRIC CO	19.630	72,444.29	
11/12	986		93706	VERIZON COMMUNICATIONS	30.410	30,023.26	
11/12	87		94206	GOOGLE	337.400	29,356.80	
11/12	1,218		98032	WELLS FARGO & CO NEW	29.800	36,344.40	
11/12	870	1,300,000	98534	HENLETT PACKARD CO	34.900	30,397.00	
11/12			20645	U S TREASURY BILL DUE 2/12/2009	99.936		1,299,168.00
				2/12/2009			
11/12				FIDELITY SPARTAN	DIV		30.61
				U S TREASURY MONEY MARKET			
				DIV 11/12/08			
11/12		25,855	15743	FIDELITY SPARTAN	1		25,855.00
11/12	5,841		25112	U S TREASURY MONEY MARKET	1	5,841.00	
11/12				FIDELITY SPARTAN	DIV		-72
				U S TREASURY MONEY MARKET			
				FIDELITY SPARTAN			
				U S TREASURY MONEY MARKET			
				DIV 11/19/08			
				CONTINUED ON PAGE 3			

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51 Madison Avenue  
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TRUST U/W/O HARRIET MYERS  
MARK BLOCK & W MYERS TTEES  
C/O WILLARD MYERS  
58 TREMONT TERRACE  
LIVINGSTON NJ 07039

Customer Order Page 8 of 16

PERIOD ENDING  
**11/30/08**PAGE  
**3**YOUR ACCOUNT NUMBER  
**1-CM316-3-0**YOUR TAX PAYER IDENTIFICATION NUMBER  
**\*\*\*\*\*3392**

DATE	BOUGHT RECEIVED ON LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/19		5,841	50368	FIDELITY SPARTAN	1		5,841-00
11/19	75,000		55004	U S TREASURY MONEY MARKET U S TREASURY BILL DUE 03/26/2009 3/26/2009	99-926	74,944-50	
11/19	17,781		59408	FIDELITY SPARTAN U S TREASURY MONEY MARKET NEW BALANCE	1	17,781-00	
				SECURITY POSITIONS	MKT PRICE		
	2,059			AT&T INC	28-560		
	551			ABBOTT LABORATORIES	52-390		
	377			AMGEN INC	55-540		
	319			APPLE INC	92-670		
	1,740			BANK OF AMERICA	16-250		
	725			CHEVRON CORP	79-010		
	2,117			CISCO SYSTEMS INC	16-540		
	1,885			CITI GROUP INC	8-290		
	696			COCA COLA CO	46-870		
	1,044			COMCAST CORP	17-340		
	522			CL A			
	1,827			CONOCOPHILIPS	52-520		
	3,683			EXXON MOBIL CORP	80-150		
				GENERAL ELECTRIC CO	17-170		
				CONTINUED ON PAGE	4		

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Fax (212) 838-4061

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11/30/08

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YOUR ACCOUNT NUMBER  
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DATE	BOUGHT DELIVERED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	87			GOOGLE	292.960		
	870			HEWLETT PACKARD CO	35.280		
	2,001			INTEL CORP	13.800		
	493			INTERNATIONAL BUSINESS MACHS	81.600		
	1,305			J.P. MORGAN CHASE & CO	31.660		
	957			JOHNSON & JOHNSON	58.580		
	406			MCDONALDS CORP	58.750		
	754			MERCK & CO	26.720		
	2,755			MICROSOFT CORP	20.220		
	1,392			ORACLE CORPORATION	16.090		
	551			PEPSICO INC	56.700		
	2,349			PFIZER INC	16.430		
	725			PHILLIP MORRIS INTERNATIONAL	42.160		
	1,044			PROCTER & GAMBLE CO	64.350		
	580			QUALCOMM INC	33.570		
	435			SCHLUMBERGER LTD	50.740		
	17,781			FIDELITY SPARTAN	1		
	609			U.S. TREASURY MONEY MARKET			
	348			U.S. BANCORP	26.980		
	75,000			UNITED PARCEL SVC INC	57.600		
	348			CLASS B			
				U.S. TREASURY BILL DUE 03/26/2009	99.971		
				UNITED TECHNOLOGIES CORP	48.530		
				CONTINUED ON PAGE 5			

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(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

ASSOCIATED WITH  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

TRUST U/W/O HARRIET MYERS  
MARK BLOCK & W MYERS TTEES  
C/O WILLARD MYERS  
58 TREMONT TERRACE  
LIVINGSTON

NJ 07039

PERIOD COVERED

11/30/08

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YOUR ACCOUNT NUMBER

1-CM316-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER

08-00084-3392

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRIN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	986 754 1,218			VERIZON COMMUNICATIONS WAL-MART STORES INC WELLS FARGO & CO NEW  MARKET VALUE OF SECURITIES LONG SHORT 1,370,449.66	32-650 55-880 28-890		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

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INVESTMENT SECURITIES LLC  
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PENNIS SYMBOL

11/30/08

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YOUR ACCOUNT NUMBER  
1-CM316-3-0

YOUR TAX PAYOR IDENTIFICATION NUMBER  
\*\*\*\*\*3392

DATE	BOUGHT PURCHASED OR LOAN	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY DIVIDENDS GROSS PROCEEDS FROM SALES			9,064.16 7,568,934.90

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

The logo for Bernard L. Madoff Investment Securities LLC. It features a square containing the word "MADOFF" in a stylized, blocky font. To the right of the square, the company name "BERNARD L. MADOFF" is written in a bold, serif font, with "INVESTMENT SECURITIES LLC" in a smaller, all-caps serif font below it. Below the main text, "New York & London" is written in a smaller, italicized serif font.

1000 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**EXHIBIT B**  
Affiliated with  
**Madoff Securities International Limited**  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

TRUST U/W/O HARRIET MYERS  
MARK BLOCK & W MYERS TTEES  
C/O WILLARD MYERS  
58 TREMONT TERRACE  
LIVINGSTON NJ 07039

N.J. 07039

YOUR ACCOUNT NUMBER  
**1-CM316-4-0**

11/30/08

1

YOUR TAX PAYER IDENTIFICATION  
\*\*\*\*\*3392

DATE	BOUGHT RECEIVED ON LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				BALANCE FORWARD			80,478-00
11/12		29	41794	S & P 100 INDEX NOVEMBER 460 CALL	15-800		45,791-00
11/12	29		46120	S & P 100 INDEX NOVEMBER 450 PUT	17-800	51,649-00	
11/19		29	32225	S & P 100 INDEX DECEMBER 430 CALL	26		75,371-00
11/19	29		36550	S & P 100 INDEX DECEMBER 420 PUT	30	87,029-00	
11/19	29		40875	S & P 100 INDEX NOVEMBER 460 CALL	3	8,729-00	
11/19		29	45200	S & P 100 INDEX NOVEMBER 450 PUT	37		107,271-00
			16781	NEW BALANCE			161,504-00
		29		SECURITY POSITIONS S & P 100 INDEX DECEMBER 430 CALL	MKT PRICE 23-300		
				S & P 100 INDEX DECEMBER 420 PUT	16-500		
				MARKET VALUE OF SECURITIES LONG SHORT			
				47,850-00 67,570-00			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

# **EXHIBIT B**

**EXHIBIT B**

1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
2. The information provided in the Claim Form is based on information provided in the Claimant's latest Madoff account statement and additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law or equity.
4. The Claimant hereby requests that the Claim Form be considered as a proof of claim in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by applicable law, the Claimant does not, by submitting the Claim Form, consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.
8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.

*Claimant: Trust U/W/O Harriette Myers (Account no. 1CM316)*

10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
12. The Claimant submits herewith documents in support of the Claimant's claim, including documents containing information regarding account transactions, such as contributions and/or withdrawals. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents, if deemed necessary. Below is a list of the documents submitted herewith:

**2008**

- BMIS account statement for time period ending 11/30/08

# **EXHIBIT C**

Redacted